

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BYATA WILDER, FRANK RIZZO, AND
ELIO IPPOLITO, individually and on behalf
of all other similarly situated,

Plaintiffs,

v.

ROMA FOOD ENTERPRISES, INC.; ROMA
OF NEW JERSEY; PERFORMANCE
TRANSPORTATION, LLC d/b/a
PERFORMANCE FOOD GROUP;
PERFORMANCE FOODSERVICE – AFI;
VISTAR CORPORATION; JOHN DOES 1-
10, fictitious names for persons or entities
whose present roles and identities are
unknown; and ABD BUSINESS ENTITIES
1-10, fictitious names for entities whose
present roles and identities are unknown,

Defendants.

Civil Action No.: 14-8123 (JLL) (JAD)

ORDER

Pending before the Court is Plaintiffs Byata Wilder (“Plaintiff Wilder”), Frank Rizzo (“Plaintiff Rizzo”), and Elio Ippolito’s (“Plaintiff Ippolito”) (collectively “Plaintiffs”) Motion to Remand this action to the New Jersey Superior Court, pursuant to 28 U.S.C. § 1447. (ECF No. 10.) For the reasons set forth in the Court’s corresponding Opinion,

IT IS on this 19 day of October, 2015,

ORDERED that Judge Dickson’s June 23, 2015 R&R is hereby adopted as the findings of fact and conclusions of law of this Court; and it is further

ORDERED that Plaintiff’s Motion to Remand (ECF No. 10) is GRANTED.

IT IS SO ORDERED.



JOSE L. LINARES
UNITED STATES DISTRICT JUDGE